

**WOODSTOCK PLANNING & ZONING COMMISSION
REGULAR MONTHLY MEETING
THURSDAY, JULY 16, 2015 AT 7:30 PM
WOODSTOCK TOWN HALL, MEETING ROOM 1**

I. MONTHLY MEETING AT 7:30 PM

- a. Call to Order – Meeting was called to order by Jeff Gordon at 7:36p.m. Noted that there is a quorum.
- b. Roll Call – Jeff Gordon, Fred Rich, Dexter Young, Doug Porter, Syd Blodgett, Ken Ebbitt, Gail Dickinson, Delia Fey (ZEO/Town Planner), Laura Cournoyer-Gagne (Recording Secretary)
- c. Absent – John Anastasi, Travis Sirrine, Duane Fredrick, Dorothy Durst, Joseph Adiletta

II. DESIGNATION OF ALTERNATES – Doug Porter & Ken Ebbitt

III. CHAIR’S REPORT – J. Gordon thanked everyone for attending meetings and subcommittee meetings and thanks to Delia Fey and Tina Lajoie for their hard work and thanks to Laura for doing the minutes for the PZC. Members not in attendance had notified PZC of absence.

IV. MINUTES

- a. Regular Meeting Minutes of June 18, 2015. **MOTION TO ACCEPT MINUTES MADE BY D. PORTER, SECONDED BY D. YOUNG. MOTION PASSED UNANIMOUSLY, G. DICKINSON ABSTAINED.**

V. CITIZENS COMMENTS – NONE

VI. NON-RESIDENTIAL ZONING PERMITS - NONE

MOTION TO MOVE ZEO REPORTS BEFORE PUBLIC HEARING AND NOTE CHANGE ON AGENDA ITEM #8 (b) THAT THERE’S ONLY 1 SUBDIVISION NOT 2, MADE BY S. BLODGETT, SECONDED BY D. YOUNG. MOTION PASSED UNANIMOUSLY.

VII. ZEO REPORT

- a. Report on Zoning Enforcement June/July 2015
 - 14 Woodland Drive: think they will be set within 2 weeks
 - 4 Perrin Rd: ordering more dumpsters
 - 10 Oakhill Lane: still waiting for response
 - 1374 Rte 171: waiting for deadline of August 15th
 - 99 Redhead Hill Rd: furnace has been moved, resolved
 - 422 Roseland Park Rd: came in to get permit
 - 48 Grey Fox Landing: misunderstanding, sent letter
 - 619 Rte 198: still no contact, waiting for response
 - 450 - 580 Brickyard Rd: still waiting for response

There was discussion about looking into a separate fee for an application filed to correct a zoning violation after someone has not obtained a required zoning permit. The Commission will look into it. J. Gordon noted that each year the Commission has approved a proposed ordinance for zoning violation fees. This is allowed by C.G.S. It has prior been reviewed by Town Attorney. The BOS has not expressed interest in looking into it. The Commission will again send the proposal to the BOS.

VIII. PUBLIC HEARING – 7:45 P.M.

a. #547-06-08m Charles Rosenfield, Rocky Hill & Ojala Roads – Proposed re-subdivision to change previously approved subdivision to merge 11 building lots +3 open space lots into 1 conservation lot (Map 6389, Block 70, to merge lots 13-5 thru 13-18. G. Dickinson recused. J. Gordon noted documents received: email from town attorney who reviewed the Affidavit; dated 6/18/15 warranty deed; email dated 7/14/15 from Reva Seybolt, who supports the application. Ernest Cotnoir, attorney for Charles Rosenfield, is present. A new warranty deed was submitted at the meeting, which deletes the word “agricultural” in Section A2 and inserts the word “industrial”. No other changes made. General statute sec 1-1 sub q, defines agriculture uses, given to PZC. Atty. Jackson, who represents the Windham Land Trust hasn’t given approval to the warranty deed yet. Atty. Higgins didn’t see any other changes. Applicant is seeking conditional approval tonight. Beth Zimmerman-Smith: just wants to go forward. D. Porter: if any changes in deed and hearing closes, how does PZC respond? J. Gordon noted that new information cannot be received once hearing is closed. Atty. Cotnoir: doesn’t expect any problems or changes. J. Gordon noted that there are two options: 1.) close public hearing and if any later changes needed, applicant can seek a modification, which requires a new application and public hearing, or 2.) continue current public hearing. Once public hearing closes, no new information can be submitted or discussed. Option 2 is the best approach. Atty. Contoir noted that only waiting for changes from Attorney Jackson, asks that public hearing be kept open until next month. Request will be submitted in writing. **MOTION TO CONTINUE PUBLIC HEARING TO AUGUST 20, 2015 @ 7:45 P.M. MADE BY D. YOUNG, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY.**

IX. NEW BUSINESS

a. #625-07-15 Dean Carlage, Smith Road – Activity on Scenic Rd: request to triple chip seal road: any improvement on a scenic road must go to public hearing. Smith Road falls under this, notifications must be sent to all who live on the street. Dean Carlage, resident: air, water pollution problems and safety concerns. Town would pay for repairs, 7/10 of a mile is all dirt. J. Gordon noted that process to follow is Town Highway Foreman and BOS involved first before an application submitted to PZC. He spoke with D. Fey and J. Navarro. Town Highway Foreman and First Selectman aware of application and OK with it going now to PZC. Current ordinance and working policy on scenic roads noted. **MOTION TO SCHEDULE PUBLIC HEARING FOR AUGUST 20, 2015 @ 7:45 P.M. MADE BY G. DICKINSON, SECONDED BY S. BLODGETT. MOTION PASSED UNANIMOUSLY.**

b. #626-07-15 Patrick Blomberg, Rte 169 (Map 7280, Block 29, Lot 58A) 1 lot subdivision: D. Fey gave summary of proposal: Previously approved but Mylar not filed on time resulting in new application before PZC. Bond paid & fee in lieu of has been paid. Money hasn’t been returned. All paperwork submitted in 2013, some from 2012, is the same paperwork being reviewed now. Fees paid, application is complete and all provisions have been met: not required but could go to public hearing. Bob Messier states the time had expired but plans are the same, nothing has changed. **MOTION TO NOT TAKE TO PUBLIC HEARING MADE BY D. PORTER, SECONDED BY D. YOUNG. PASSED UNANIMOUSLY.** Note for record: application; development review check list; Inland Wetlands approval, 2012; D. Fey signed off in 2013; State Archeologists 2013; Conservation Commission’s sign off 2013; D. Fey’s memos; reports from Design Prof 2013; Fire Marshal okayed in 2013; DOT 2012 okayed, soil scientist 2012 okayed. Fair market value appraisal has been done with original approval dated 6/20/13. Prior approval had a condition that Town Engineer concerns would be addressed; D. Fey notes that they have been addressed. **MOTION TO APPROVE APPLICATION AS SUBMITTED WITH FEE IN LIEU OF OPEN SPACE MADE BY D. PORTER, SECONDED BY G. DICKINSON. MOTION TO APPROVE WAIVER, NOTE: NOT REQUIRED TO SEND TO LEGAL COUNSEL, MADE BY D. PORTER, SECONDED BY F. RICH. NOTED THAT THERE IS A QUORUM (7) FOR VOTE: MOTION PASSED UNANIMOUSLY. MOTION TO RETURN FEE OF ENGINEER REVIEW MADE BY F. RICH, SECONDED BY D. PORTER. MOTION PASSED UNANIMOUSLY. BOS TO BE NOTIFIED. STANDARD STIPULATION ADDED TO MINUTES, NOT NECESSARY TO READ. PRIMARY MOTION AS AMENDED TO APPROVE APPLICATION PASSED UNANIMOUSLY.**

Standard stipulations of the Woodstock Planning and Zoning Commission for Subdivisions:

1. In evaluating the subdivision application, the Planning and Zoning Commission has relied upon information provided by the applicant and, if such information subsequently proves to be false, deceptive, incomplete or inaccurate, this subdivision approval shall be modified, suspended or revoked.

2. The final subdivision plans are to be signed and stamped (ink and impression) by the Professional Engineer, Land Surveyor and Landscape Architect.
3. The Applicant shall provide all legal documents for the following, as applies, to the Commission for review and approval. Each such document shall be executed by the subdivision in the approved form prior to endorsement of the subdivision mylar by the Chairman.
 - a. Conservation Easements
 - b. Common Driveways
 - c. Public Road Widening
 - d. Fire Protection Easements
 - e. Drainage Easements
 - f. Text for Homeowner's Association / Articles of Incorporation.
4. The applicant shall comply with the requirements of Connecticut General Statutes Section 8-25 regarding the filing and recording of the subdivision plans.
5. Any person, firm or corporation selling or offering any subdivided lot for sale prior to the filing and recording of the endorsed final subdivision mylar and prior to the satisfaction of all conditions of subdivision approval, shall be fined not more than five hundred dollars (\$500) for each lot sold or offered for sale, per CGS 8-25 or as the statute may be amended.
6. No subdivision plan shall be presented for recording or filing to the town clerk or other officer authorized to record or file plans until its approval has been endorsed thereon by the Chairman or Secretary of the Commission, and the filing or recording of a subdivision plan without such approval shall be void.
7. Fire suppression systems/methods shall be installed and confirmed by the ZEO before a Certificate of Occupancy can be issued.
8. The plans submitted to the Commission and duly approved shall closely reflect the actual position of the structures to be built on each lot.
9. Bonding requirements: Must be posted before the mylars can be signed.

The subdivision bonds shall be set by the Commission. They shall be in the amounts proposed in the Applicant or an amount recommended by the Commission's consulting engineer, whichever shall be less.

1. The Erosion and Sediment Control Bond shall be in the amount of \$_7,596.00_____

Upon determining the above stipulations to be necessary, the Woodstock Planning and Zoning Commission hereby requires their inclusion in the approval of this subdivision application.

c. #623-12-14 Thomas & Joy Beatty, 37 New Sweden Rd – Request for extension to file Mylars and extension on E & S Bond. MOTION TO APPROVE REQUEST FOR 90-DAY EXTENSION AND E & S BOND MADE BY G. DICKINSON, SECONDED BY D. YOUNG. MOTION PASSED UNANIMOUSLY.

X. OLD BUSINESS

- a. #547-06-08m Charles Rosenfield, Rocky Hill & Ojala Roads – Proposed re-subdivision to change previously approved subdivision to merge 11 building lots +3 open space lots into 1 conservation lot (Map 6389, Block 70, to merge lots 13-5 thru 13-18) **Continued public hearing.**

XI. BUDGET REVIEW AND BILLS

- a. Bills
- b. Budget Review – starting new fiscal term.

XII. CITIZENS COMMENT – NONE

XIII. CORRESPONDENCE – NONE

- a. Town of Pomfret, Notice of Public Hearing re: Special Permit for 68' x 90' barn for equipment storage and workshop, 236 W. Quasset Rd – 07-07-15 @ 7:00p.m., Pomfret Senior Center, 207 Mashamoquet Rd.

XIV. MINUTES OF OTHER BOARDS AND COMMISSIONS - NONE

XV. OTHER - NONE

XVI. ADJOURNMENT

MOTION TO ADJOURN MADE BY F. RICH, SECONDED BY G. DICKINSON. MOTION PASSED UNANIMOUSLY.
MEETING ADJOURNED AT 8:40 P.M.

Respectfully submitted,

Laura Cournoyer-Gagne, Recording Secretary

DISCLAIMER:

These minutes have not yet been approved by the Planning & Zoning Commission. Please refer to next month's minutes for approval/amendments. Please note that the audio recording is the legal record of the meeting.